

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**GLENN BURTON, JR.,
Plaintiff,**

v.

Case No. 07-CV-0303

**AMERICAN CYANAMID et al.,
Defendants;**

**RAVON OWENS,
Plaintiff,**

v.

Case No. 07-CV-0441

**AMERICAN CYANAMID et al.,
Defendants;**

**CESAR SIFUENTES,
Plaintiff,**

v.

Case No. 10-CV-0075

**AMERICAN CYANAMID et al.,
Defendants.**

ORDER

Defendant Atlantic Richfield has requested the court's leave to move for summary judgment dismissing plaintiffs' ordinary negligence claims. The deadline for filing all dispositive motions in these cases was September 8, 2017. Under Fed.R.Civ.P. 6(b), a court may extend the already-elapsed time period for completion of an act "if the party failed to act because of excusable neglect." Atlantic Richfield cannot credibly claim excusable neglect, as plaintiffs have explicitly alleged ordinary negligence claims against the industry defendants since their original complaints were filed. And allowing

briefing of a new dispositive motion this late in the game will prejudice plaintiffs and disrupt the court's preparation for an already complex trial. Therefore, I will deny Atlantic Richfield's motion.

Dated in Milwaukee, Wisconsin, this 21st day of February, 2019.

s/Lynn Adelman
LYNN ADELMAN
United States District Judge